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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

NPR 1600.1

Effective Date:
November 03, 2004

Expiration Date:
November 03, 2014

[Printable Format \(PDF\)](#)

Request Notification of Change

(NASA Only)

Subject: NASA Security Program Procedural Requirements w/Change 2 (4/01/2009)

Responsible Office: Office of Protective Services

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Chapter 6. Industrial Security

6.1 General

6.1.1. This chapter provides procedural requirements for implementation of industrial security requirements in accordance with the National Industrial Security Program Operating Manual (NISPOM) and the NISPOM Supplement.

6.1.2. It pertains to, but is not limited to, the requirement to review all programs/projects in accordance with Chapter 5, subparagraph 5.25.1, classified contract administration and the processing and control of classified visits for cleared Government and contractor employees.

6.1.3. The processing and control of classified and unclassified visits to a Center in relation to classified contracts is the responsibility of the CCS and shall be covered in written local security procedures tailored to that Center.

6.2 Department of Defense (DoD) Support

6.2.1. Currently, the DoD, through the Defense Security Service (DSS), acts on behalf of NASA in providing industrial security services for most NASA classified contracts.

6.2.2. The standard security provisions of NASA classified contracts require the

contractor to obtain a facility security clearance and be assigned a Cage Code, execute a DoD Security Agreement (DD Form 254), and complete other applicable industrial security forms that require the contractor to comply with the NISPOM for industrial security matters.

6.2.3. NASA exercises the right to inspect contractor operations located on NASA property that are involved in access to and safeguarding classified information.

6.3 Scope

This chapter pertains to contracts, grants, cooperative agreements, and other binding transactions in which performance shall require access to CNSI by the contractor, supplier, grantee, or its employees. It does not apply to agreements with other Federal agencies.

6.4 Responsibilities

6.4.1. NASA program or project management personnel contemplating offers or quotations for a classified contract, negotiating or awarding a classified contract, or bearing responsibility for the performance of a classified contract will:

6.4.1.1. Ensure the CCS is fully engaged in supporting the development of security requirements for the contract.

6.4.1.2. Ensure adequate resources are provided to the CCS for program security oversight, as required.

6.4.1.3. Per the NISPOM, ensure the contractor provides a "Classified Visit Request" to the CCS and updates the list, as appropriate.

6.4.2. The Director of Procurement of each Center is responsible for the following:

6.4.2.1. Ensuring that the request for proposals or offers includes a statement that the contractor or prospective contractor shall or shall not require access to classified information and shall or shall not generate classified information in the performance of such contract. If the contract shall involve access to classified information or cause the generation of classified information, a letter as discussed in paragraph 2305.1 of the NISPOM shall be attached to the material submitted to the individual negotiating the contract.

6.4.2.2. Ensuring that each classified contract contains the standard security clauses prescribed by Section 4.404(a) of the Federal Acquisition Regulation, and NASA Supplement 1804.404-70.

6.4.2.3. Ensuring that any proposed deviation in this standard security provision (e.g., elimination, addition, or substitution) is forwarded to the Office of Procurement for approval by the Assistant Administrator for Procurement, with concurrence by the AA/OSPP and the OGC.

6.4.3. The CCS shall ensure that NASA recommendations affecting the contractor's security program are made primarily through the cognizant security office (Defense Security Service) for the contractor concerned, since that office is primarily responsible for ensuring that the contractor complies with all security recommendations. When it becomes apparent that full and satisfactory action on a specific NASA recommendation

has not been taken by the cognizant security office or by the contractor, a detailed report of the circumstances shall be forwarded to the AA/OSPP for appropriate action with a copy to the contracting officer (CO).

6.4.4. All changes to a contractor's security program that may affect the cost, performance, or delivery of the contract must go through the contracting officer (CO) for the processing of a contract modification.

6.4.5. Through coordination with the CO and Contracting Officer's Technical Representative (COTR), the CCS shall develop local written security procedures to ensure that the following requirements are met:

6.4.5.1. All DD Form 254s, Contract Security Classification Specification, shall be completed by the procurement officer with the assistance of the security office. The completed form shall then be signed by the CCS or designated security representative. Additionally, the following is applicable to a DD Form 254 for NASA contracts:

6.4.5.2. In item 12 of the DD Form 254, delete the words: "To the Directorate For Freedom of Information and Security Review, Office of the Assistant Secretary of Defense (Public Affairs) for review in accordance with the Industrial Security Manual," and insert the words: "To the Office of Public Affairs, National Aeronautics and Space Administration, Washington, DC 20546, for review."

6.4.5.3. In the case of prime contracts, the Public Information Office of the NASA contracting Center shall also be specified in item 12 to indicate that proposed publicity releases shall be submitted through that office to the Office of Public Affairs, NASA, Washington, DC 20546.

6.4.5.4. In the case of subcontracts, the publicity office of the prime contractor shall be specified, in addition to the Public Information Office of the NASA Contracting Center, to indicate that proposed publicity releases shall be submitted through those two offices to the Office of Public Affairs, NASA, Washington, DC 20546.

6.4.5.5. The Chief, Headquarters Security Office shall perform these responsibilities for Headquarters contracts.

6.4.5.6. A signed copy of each DD Form 254 shall be forwarded to the DSMD.

6.4.6. The CCS shall ensure contractors operating under a DD Form 254 provide the appropriate "Classified Visit" documentation, per the NISPOM, on all "cleared" contractor personnel working under the DD Form 254 and ensure updates are provided on an as need basis. Classified Visit Requests are mandatory for all NASA Classified Contracts.

6.5 Suspension, Revocation, and Denial of Access to Classified Information

6.5.1. Occasionally, Center security offices may find it necessary to take action to suspend, revoke, or deny a NASA contract employee access to CNSI or to suspend operation of the entire contract. To ensure uniformity and consistency, the following shall apply:

6.5.2.. Only the AA/OSPP or designee may deny or revoke a cleared contractor's access to classified information.

6.5.3. The AA/OSPP, DSMD, or CCS may grant interim and final access or suspend access for cleared contractor personnel, as necessary.

6.5.4. The AA/OSPP, Center Director, CCS, or the DSMD shall suspend a contractor's access for cause.

6.5.4.1. Each action shall be fully documented. Information developed during the security inquiry shall not be shared with the Contracting Officer or contractor management while the inquiry is ongoing. The DSMD or CCS may override this principle, if in their judgment the information suggests that the subject poses an immediate and serious threat to the health or safety of other individuals, or is a threat to a critical mission, or may otherwise be ineligible for continued access to classified information.

6.5.4.2. Center security officials shall ensure coordination is effected with the local or regional Industrial Security investigative organization (OPM, DSS, DIS) to obtain direction and to ensure information is provided to enable them to properly adjudicate for continued clearance eligibility.

6.5.4.3. During the investigative and adjudicative process, all reasonable efforts shall be pursued to fully develop potential issue information, as well as potentially favorable or mitigating information.

6.5.5. The CCS shall propose denials and revocations of contractor access to the AA/OSPP. The AA/OSPP shall make final denial or revocation determinations after consultation with the NASA CAF and the OGC.

6.5.6. Subjects of adjudication must be allowed to review and refute any information developed during the investigation process which shall make him or her ineligible for access to NASA CNSI, unless release of that information jeopardizes national security.

6.6 Periodic Review of DD Form 254

6.6.1. Each approved DD Form 254, Contract Security Classification Specification, or other written notification, issued in lieu thereof, shall be reviewed at least annually by CCS with the assistance of the procurement office.

6.6.2. The individual(s) responsible for this review shall be identified by the CCS in local written security procedures.

6.6.3. When a change is made in a security classification specification pertaining to a prime contract, that change shall be reflected in all applicable Form DD 254s, or other classification documents pertaining to subcontractors.

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